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8 **UNITED STATES DISTRICT COURT**  
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11  
12 ASHLEY GENNOCK and RANDY  
13 NUNEZ, individually and on behalf of all  
others similarly situated,

14 Plaintiffs,

15 v.

16 FACEBOOK, INC. and CAMBRIDGE  
17 ANALYTICA, LLC,

18 Defendants.

Case No. 3:18-cv-01891-VC

**RENEWED NOTICE OF MOTION  
AND MOTION TO WITHDRAW AS  
ATTORNEYS OF RECORD**

Hearing Date: July 12, 2018

Hearing Time: 10:00 a.m.

Department: Courtroom 4, 17th Floor

Judge: Hon. Vince Chhabria

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## **NOTICE OF MOTION**

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

3           **PLEASE TAKE NOTICE** that on July 12, 2018 at 10:00 a.m., or as soon thereafter as  
4 the subject matter of this Motion may be heard before the Honorable Vince Chhabria, in  
5 Courtroom 4, on the 17th floor of the above-captioned court located at 450 Golden Gate Avenue,  
6 San Francisco, California 94102, attorneys of record for Defendant Cambridge Analytica, LLC  
7 will and hereby do move for an Order withdrawing Mark C. Scarsi and Ashlee N. Lin of  
8 Milbank, Tweed, Hadley & McCloy LLP (“Milbank”) as its attorneys of record in this case.

9 Milbank bases this Motion on the following motion and all records on file with the court  
10 in connection with this case or which may be submitted prior to the time of the hearing.

1 Milbank hereby moves the Court for an order withdrawing Mark C. Scarsi and Ashlee N.  
 2 Lin, each of the law firm of Milbank, Tweed, Hadley & McCloy LLP, as attorneys of record for  
 3 Defendant Cambridge Analytica, LLC (“CA”), and states as follows.

4 1. On May 2, 2018, SCL Elections Ltd., as well as certain of its and CA’s U.K.  
 5 affiliates (collectively, the “Company”) filed applications to commence insolvency proceedings  
 6 in the U.K. The Company is immediately ceasing all operations and the boards have appointed  
 7 insolvency practitioners Crowe Clark Whitehill LLP to act as the independent administrator for  
 8 the Company.

9 2. On May 17, 2018, parallel bankruptcy proceedings were commenced on behalf of  
 10 CA and certain of the Company’s U.S. affiliates in the United States Bankruptcy Court for the  
 11 Southern District of New York. *In re Cambridge Analytica LLC*, No. 18-11500-shl, ECF No. 1  
 12 (Bankr. S.D.N.Y. May 17, 2018). CA has ceased all operations.

13 3. Milbank and CA agree that Milbank is no longer representing CA in this  
 14 litigation. Indeed, CA notified Milbank that CA no longer requires or desires Milbank’s  
 15 representation, rendering it unreasonably difficult (if not impossible) for Milbank to continue to  
 16 represent CA. CA no longer consults or communicates with Milbank as its counsel, and Milbank  
 17 is no longer authorized to act on CA’s behalf. Other than to the extent necessary for Milbank to  
 18 withdraw as CA’s counsel, there is no ongoing communication between Milbank and CA  
 19 regarding this case. Milbank is not privy to confidential information regarding CA’s activity in  
 20 its bankruptcy matters or even in the pending litigation.

21 4. CA no longer has any fee arrangement with Milbank, and Milbank will thus not  
 22 be compensated for any legal services performed for CA going forward.

23 5. Pursuant to L.R. 11-5, written notice has been given to the client and to all other  
 24 parties who have appeared in the case.

25 Milbank therefore respectfully requests that the Court withdraw Milbank, including  
 26 attorneys Mark C. Scarsi and Ashlee N. Lin, as attorneys of record for CA, and that CM/ECF  
 27 electronic notices in this action to these attorneys be terminated.

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1 DATED: June 6, 2018

2 By: /s/ Mark C. Scarsi  
3 Mark C. Scarsi (SBN 183926)  
4 mscarsi@milbank.com  
5 Ashlee N. Lin (SBN 275267)  
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## **CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing document has been served via the Court's CM/ECF system on all counsel of record on June 6, 2018.

/s/ Ashlee N. Lin  
Ashlee N. Lin